

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.

Plaintiff,

V.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR

Defendants.

Civil Action No. 04-10353 PBS

**SCANSOFT, INC.’S MOTION TO COMPEL
DEPOSITION TESTIMONY AND FOR SANCTIONS**

Plaintiff ScanSoft, Inc. (“ScanSoft”) moves pursuant to Fed. R. Civ. P. 37 and Local Rule 37.1 for an order compelling plaintiffs to produce Mr. David Roth and Mr. Jordan Cohen for further examination and for sanctions. The grounds for this motion are set forth in the accompanying Memorandum and exhibits¹ which have been filed under seal.

Accordingly, it is respectfully requested that this motion be granted. A proposed order is attached for the Court's convenience.

CERTIFICATE PURUSANT TO RULE 7.1 AND LOCAL RULE 37.1

I certify that counsel for ScanSoft conferred with counsel for VST on April 8, 2005, by telephone in an effort to resolve the issues presented in this motion and that counsel were unable to arrive at an agreement.

¹ As set forth in ScanSoft's Motion for Impoundment, the Memorandum in support of this motion and exhibits are being filed under seal pursuant to the terms of the parties' Protective Order.

Dated: April 8, 2005

SCANSOFT, INC.,
By its attorneys,

s/ Lisa M. Fleming

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